

BILL NO. Z-70-04-12

ZONING MAP ORDINANCE NO. ~~2~~-134-71

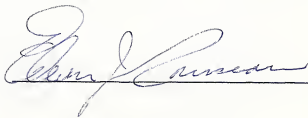
AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. E-1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

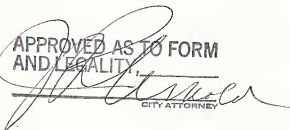
SECTION 1. That the area described as follows is hereby designated a B-3-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. E-1 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot Numbered 30 in Harvester View Addition and Lot Number 29 in Harvester View Addition to the City of Fort Wayne, according to the plat thereof recorded in Plat Record 10, page 29 of the records in the Recorder's Office of Allen County, Indiana, except the following: Commencing at the southeast corner of said Lot No. 29; thence north along the east line of said Lot No. 29 a distance of 40 feet; thence West along the North line of said lot a distance of 78.57 feet; thence in a southeasterly direction along the State Highway Right-of-Way line a distance of 86.66 feet to the place of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.



APPROVED AS TO FORM  
AND LEGALITY

  
CITY ATTORNEY

Read the first time in full and on motion by Demifon seconded by R and duly adopted; read the second time by title and referred to the Regulations Committee on Regulations (and Public Hearing to be held after due legal notice) for recommendation) (and Public Hearing to be held after due legal notice) to the Council Chambers, City Hall, Fort Wayne, Indiana, on 4-14-70 day of April, 1960, at 10:15 o'clock.

Read the third time in full and on motion by Trpton seconded by Demifon and duly adopted, "back" on its passage, Forwarded by the following vote:

YEAS	NAYS	ABSTAINED	ABSENT	COULD
<u>9</u>	<u>0</u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>Adams</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>Anderson</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>Bay</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>Beck</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>Brinkman</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>Johnson</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>Landwehr</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>Shelton</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>Wright</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>

Read and adopted by the Common Council of the City of Fort Wayne, Indiana, at 10:15 o'clock (Amendment) (Special) (Appropriation) Ordinance (Resolution) No. 2-134-71

Attest 9th day of February, 1987  
(SEAL)  
Harold S. Bonakoon Presiding Officer

Read and adopted by the Mayor of the City of Fort Wayne, Indiana, on the 10th day of February, 1987 at the hour of 8:30 o'clock A.M.  
Harold S. Bonakoon City Clerk

Attest 10th day of February, 1987  
10:15 A.M.  
Harold S. Zins

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 14, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-04-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

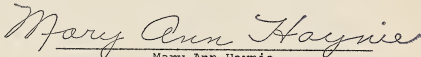
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 18, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 25, 1970.

Certified and signed this  
1st day of February 1971.

  
\_\_\_\_\_  
Mary Ann Haynie  
Secretary

Bill No. Z-70-04-12

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. E-1,

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do PASS.

HERBERT G. TIPTON, Chairman

JACK K. DUNIFON, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

JOHN H. ROBINSON

*Herbert G. Tipton*  
*Jack K. Dunifon*  
*Thomas G. Adams*  
*Wm K. Geake*

*John H. Robinson*

CONCURRED IN

DATE 2-9-71 FUAD G. BONAHOOM, CITY CLERK

## RECEIPT

GENERAL FUND

Nº 2

FT. WAYNE, IND., March 26, 1970RECEIVED FROM United Southern States

\$

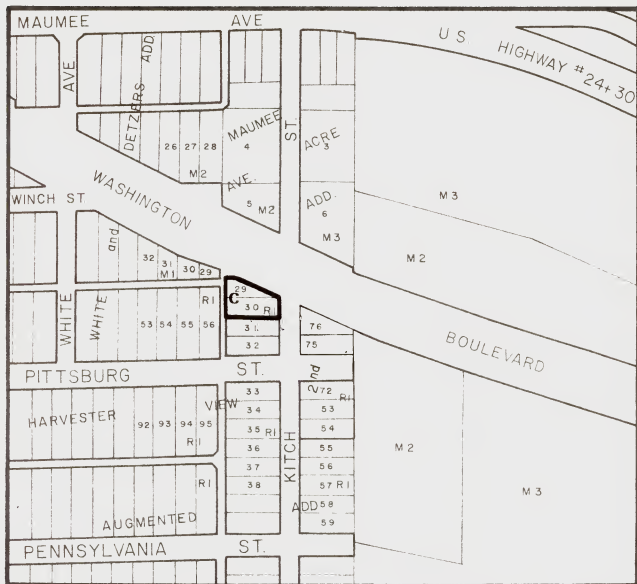
THE SUM OF Twenty-five and no/100

100

DOLLARS

ON ACCOUNT OF Petition to removeto 27430, Sawdust View add.K. C. Stine

AUTHORIZED SIGNATURE



**C** CHANGE FROM RI TO B3B

*Z-70-04-12*

N

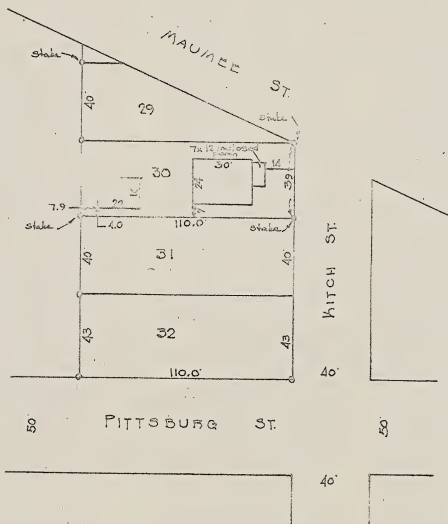
### Drainage Systems Surveys and Reports

John W. Maloney

*This document is a certificate that the undersigned Civil Engineer and Surveyor, registered as provided by law in the State of Indiana, has made a survey of*

Lots numbered twenty-nine and thirty in Harvester View Addition, except the Northeast portion of said Lot numbered 29 for the widening of Maumee Avenue

to the City of Fort Wayne, Indiana, in accordance with the plat thereof on file in the office of the Recorder of Allen County, Indiana. Any exceptions or discrepancies are noted below. Measurements were made and corners perpetuated and established as indicated on this sketch.



This survey was made on August 30, 1953 for Lincoln National Bank & Trust Co.  
I hereby certify that it is correct.

7 No.... 1857.....

*Signed*

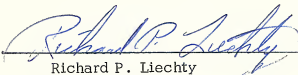
Registered Professional Civil Engineer

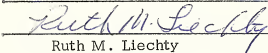
PETITION TO REZONE

We, the undersigned, being the owners of more than fifty-one (51) percent of the real estate hereinafter described, do hereby respectfully petition the Common Council to enact an ordinance to reclassify from a/an R-1 District to a/an B-3-B District, the real estate described as follows, to-wit:

Lot Numbered 30 in Harvester View Addition and Lot Number 29 in Harvester View Addition to the City of Fort Wayne, according to the plat thereof recorded in Plat Record 10, page 29 of the records in the Recorder's Office of Allen County, Indiana, except the following: Commencing at the southeast corner of said Lot No. 29; thence north along the east line of said Lot No. 29 a distance of 40 feet; thence West along the North line of said lot a distance of 78.57 feet; thence in a southeasterly direction along the State Highway Right-of-Way line a distance of 86.66 feet to the place of beginning.

(See copy of attached certificate of Survey)

  
Richard P. Liechty

  
Ruth M. Liechty



ot lar

Richard P. Liechty  
Ruth M. Liechty

Ruth M. Liechty

COON

Notary Public

# RESTRICTIVE COVENANTS

The undersigned, Richard P. Liechty and Ruth M. Liechty, husband and wife, being the owners of real estate in Allen County, Indiana, described as follows, to-wit:

Lot Numbered 30 in Harvester View Addition and Lot Number 29 in Harvester View Addition to the City of Fort Wayne, according to the plat thereof recorded in Plat Record 10, page 29 of the records in the Recorder's Office of Allen County, Indiana, except the following: Commencing at the southeast corner of said Lot No. 29; thence north along the east line of said Lot No. 29 a distance of 40 feet; thence West along the North line of said lot a distance of 78.57 feet; thence in a southeasterly direction along the State Highway Right-of-Way line a distance of 86.66 feet to the place of beginning,

in consideration of permission to use said real estate for uses allowed in a R-3-B district, hereby covenant and agree, for themselves, grantees, personal representatives, successors and assigns, as follows:

We will not erect or permit to be erected, any building, or structure of any nature on said real estate nearer than fifteen (15) feet to the East ~~West~~ line of the right-of-way of Kitch Street.

This is not a personal covenant, but shall run with the land and inure to the benefit of all owners of real estate within five hundred (500) feet of said real estate, and of the public. It may be enforced by injunction or otherwise by any of the said owners or by the City of Fort Wayne on behalf of the public.

WITNESS my hand and seal, this 2nd day of June, 1970

Richard P. Liechty

Ruth M. Liechty  
Ruth M. Liechty

STATE OF INDIANA )  
                          : SS  
COUNTY OF ALLEN )

Before me, a Notary Public, in and for said County and State, this

\_\_\_\_\_ day of June, 1970, personally appeared Richard P. Liechty and Ruth M. Liechty, husband and wife, and each over the age of twenty-one (21) years, and acknowledged the execution of the above Restrictive Covenant to be their voluntary act and deed.

\_\_\_\_\_  
Notary Public

My commission expires:  
\_\_\_\_\_

# PETITION

WE, THE UNDERSIGNED, residents in the vicinity of real estate for which Richard P. Liechty and Ruth M. Liechty have filed a petition to rezone acknowledged by their signatures below that they are aware that the said petition to rezone has been filed with the City of Fort Wayne Plan Commission and that they have no objection whatsoever to the reclassification of the real estate as requested in the petition to rezone, that they are aware of the contents of the petition to rezone and they have no objection to the contents or to rezoning as requested should the common council of the City of Fort Wayne rezone such real estate.

Richard Liechty

1326 Kitch ave.

Mrs E. Marable

1401 Kitch ave

Everett J. Stewart

1334 Kitch Ave.

Marguerite Oetting

1406 Kitch ave.

Wagne Rebner

1415 KITCH AVE

Ralph H. Sutton

1327 Kitch St.

Bonnie G. Douglas

1327 Kitch St.

Mr & Mrs James Kenworthy

1402 Kitch Ave.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# PETITION

WE, THE UNDERSIGNED, residents in the vicinity of real estate for which Richard P. Liechty and Ruth M. Liechty have filed a petition to rezone acknowledged by their signatures below that they are aware that the said petition to rezone has been filed with the City of Fort Wayne Plan Commission and that they have no objection whatsoever to the reclassification of the real estate as requested in the petition to rezone, that they are aware of the contents of the petition to rezone and they have no objection to the contents or to rezoning as requested should the common council of the City of Fort Wayne rezone such real estate.

Richard Liechty

Mrs E. Marable

Garrett J. Stewart

Maryanne Oetting

Wagne Rebner

Rabe H. Sutton

Dorothy G. Douglas

Mr & Mrs James Akenworthy

\_\_\_\_\_

\_\_\_\_\_

1326 Kitch Ave.

1401 Katch ave

1334 Kitch Ave

1406 Kitch Ave.

1415 KITCH AVE

1327 Kitch St.

1327 Kitch St.

1402 Kitch Ave

\_\_\_\_\_

\_\_\_\_\_







Common Council-City of Ft. Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

82 lines, columns wide equals equivalent lines at \$288.4  
cents per line \$23.62

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$23.62

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date February 26, 1971

Title CLERK

## Legal Notices

Notice is hereby given that on the 9th day of February, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following zoning map ordinance, to-wit:

ZONING MAP ORDINANCE NO. 2-13471 AN ORDINANCE AMENDING THE CITY OF FORT WAYNE ZONING MAP NO. E-1, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated as R-3.5 District under the terms of Chapter 20, Municipal Code of the City of Fort Wayne, Indiana, filed as amended by General Ordinance No. 2634 and amendments thereto and the symbols on the City of Fort Wayne Zoning Map No. E-1 referred to therein established by Section 5, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot Numbered 30 in Horvater View Addition and Lot Number 29 in Lindeyer View Addition to the City of Fort Wayne, according to the plot thereof recorded in Plot Record No. 29 of the records in the Recorder's Office of Allen County, Indiana, except the following: Commencing at the southeast corner of said Lot No. 29, thence north along the eastline of said Lot No. 29 a distance of 40 feet thence West along the North line of said lot a distance of 14.7 feet thence

in a southeasterly direction along the State Highway Right-of-Way line 6 distances of 18.6 feet to the line of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approved by the Mayor, and legal publication thereof.

Edwin J. Reassou, Councilman.  
Read the third time in full and on motion by Tipton seconded by Tipton and duly adopted, placed on the passage. Passed by the following vote:  
Aye: George, Nuckols, Robinson, Rousseau, Stelp Arnold, Tipton, Noyes: none.  
Date: 2-27-71.Floyd G. Bonehoon, City Clerk.  
Posted and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-13471 on the 9th day of February, 1971.ATTEST:  
Floyd G. Bonehoon, City Clerk.  
Paul A. Stenger, President Officer.  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of February, 1971 at the hour of 8:30 o'clock A.M., E.S.T.Floyd G. Bonehoon, City Clerk.  
Approved and signed by me this 10th day of February, 1971 at the hour of 10:15 o'clock A.M., E.S.T.

I, Floyd G. Bonehoon, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Zoning Map Ordinance No. 2-13471 passed by the Common Council on the 9th day of February, 1971, and that said Ordinance was duly signed and approved by the Mayor on the 10th day of February, 1971 and now.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 10th day of February, 1971.

Floyd G. Bonehoon, City Clerk.

218-45

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE  
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

February 18, 1971

February 25, 1971

Subscribed and sworn to before me this 26th day of February 1971

Notary Public

My commission expires March 8, 1974



To NEWS-SENTINEL Dr

F O R T   W A Y N E ,   I N D I A N A

LINE COUNT

Total number of lines in notice

Charge for extra proofs of publication (50 cents for each proof in excess of two)

\$ 23.62

Size of quad upon which type is cast..... $5\frac{1}{2}$ .....

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published  
in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

as follows:

February 18, 1971
February 25, 1971

February 23, 1971

U. M. Hartman

Subscribed and sworn to before me this 26th day of February 19 71

Notary Public  
March 6, 1974

My commission expires March 8, 1974

My Commission Expires: 07/11/2011

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